

ORDINANCE NO. ORD-2013-9464

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON MAY 11, 2013; FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS FOR IRVING CITY COUNCIL, PLACES 1, 2, AND 7 FOR A TERM OF THREE (3) YEARS; AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL ELECTION REGARDING THE ADOPTION OR REJECTION OF TWENTY-FIVE (25) PROPOSED AMENDMENTS TO THE EXISTING CHARTER OF THE CITY OF IRVING.

WHEREAS, the City of Irving, Texas, held a General Municipal Election on the 11th day of May, 2013 for the purpose of electing Council members to Places 1, 2, and 7 for a term of three (3) years; and

WHEREAS, the City of Irving, Texas, also held a Special Election on the 11th day of May, 2013 for the purpose of submitting to the qualified voters of the city of Irving, Texas, twenty-five (25) amendments to the Charter of the City of Irving, Texas; and

WHEREAS, public notice of such Municipal Elections were duly given, and such elections were duly and properly held and administered in accordance with the laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act; and

WHEREAS, a canvass of the General and Special Election returns was conducted on May 22, 2013; and

WHEREAS, it was found that the persons herein named received the following votes for said term of office on the Irving City Council of the City of Irving, Texas:

<u>OFFICE</u>	<u>NUMBER OF VOTES</u>
<u>Council member Place 1, District 1 – Single Member</u>	
Luis Reyes	69
Loren Byers	189
Juan Martin Ronco Jr.	42
John Danish	293
<u>Council member Place 2, At Large</u>	
Kensley Stewart	1328
Allan E. Meagher	1799
Francis Schommer	337
René Castilla	1220
<u>Council member Place 7, District 7 – Single Member</u>	
Gerald Farris	698

WHEREAS, it was found that the following amendments to the City of Irving Charter were submitted to all residents and qualified electors of the City for the purpose of adopting or rejecting

twenty-five (25) separately proposed amendments to the City Charter as hereinafter delineated and the following votes were cast for or against the twenty-five (25) separately proposed amendments:

Amendment No. 1 – *Changing, updating or clarifying the powers of the City.*

Art. III, Sec. 1 will add or clarify that the City shall have the power to recover damages, costs, and penalties.

	FOR	AGAINST
EARLY VOTES	2222	474
ELECTION DAY	1413	411
TOTAL	3635	885

Amendment No. 2 – *Changing, updating or clarifying the charter to be gender-neutral in language; to correct non-substantive errors such as misspellings, punctuation, grammar, sentence structure and capitalization; to remove archaic language and/or outdated dates or language; to reflect current ordinances.*

Art. III, Sec. 4 removes “in no wise” and replace with “not” to be more grammatically correct.

Art. III, Sec. 24 updates capitalization and provides that members of the Police Department shall be known as Police Officers instead of policemen.

Art. III, Sec. 26 removes “for it” and replace with “acting as its agent” to clarify.

Art. IV, Sec. 1 is a gender-neutral change that provides “councilmen” shall be changed to “council members.”

Art. IV, Sec. 3(a) removes “next preceding the election” and replaces with “immediately prior to election day” to replace outdated language to be consistent with statutory language and clarifies grammar by replacing “district for which that person seeks election as herein provided” with “City”.

Art. IV, Sec. 3(c) adds “as provided herein” language and changes outdated Ordinance No. 2721 to Ordinance No. 2011-9292 regarding boundaries of council districts.

Art. IV, Sec. 5(b) adds the word “between” to clarify the grammar of the sentence.

Art. IV, Sec. 8(b) is a gender-neutral change that changes the word “his” to “that.”

Art. IV, Sec. 11(d) removes a reference to an old effective date which initiated present compensation levels for the council.

Art. IV, Sec. 12 is a gender-neutral change that changes the words “him” or “he” to “the mayor.”

Art. IV, Sec. 26 clarifies that the court has jurisdiction over all matters consistent with the laws of Texas.

Art. IV, Sec. 26(a) is a gender-neutral change that changes the word “his” to “the Judge’s.”

Art. IV, Sec. 26(c) is a gender-neutral change that deletes the word “his.”

Art. IV, Sec. 32 deletes reference to the “city treasurer” which is no longer a city position, this was deleted by voters in the May 2010 charter amendment election.

Art. VI, Sec. 1(a) is a gender-neutral change that changes the words “he” and “his” to “the secretary” and “the secretary’s.”

Art. VI, Sec. 1(c) is a gender-neutral change that changes the words “his” or “he” to “the secretary’s” and “the secretary” and changes the word “his” to “the.”

Art. VI, Sec. 1(g) is a gender-neutral change that changes the word “councilman” to “council member;” changes the grammar from “person” to “council member;” changes the word “his” to “the council member’s;” clarifies outdated language by deleting the words “by striking out either of these propositions, may indicate his vote for the one not so stricken out” and add the words “shall mark the box for or against the council member being named for recall.”

Art. VI, Sec. 1(h) is a gender-neutral change that changes the words “he” to “the council member;” changes the word “his” to “the council member’s;” changes the grammar from “officer” to “council member.”

Art. VI, Sec. 1(j) is a gender-neutral change that changes the word “he takes” to “taking.”

Art. VIII, Sec. 3 is a gender-neutral change that changes the words from “he” or “him” to “the city manager.”

	FOR	AGAINST
EARLY VOTES	2223	458
ELECTION DAY	1434	376
TOTAL	3657	834

Amendment No. 3 – *The changes to these sections are minor changes or additions to reflect current operations already being performed by the city council or designated departments.*

Art. III, Sec. 22 is changed by adding that the City shall have the power to establish a Fire Department, a Fire Chief, and/or any other positions as deemed appropriate to the Fire Department.

Art. III, Sec. 24 is changed by adding that all Police Officers are “sworn” officers.

Art. IV, Sec. 8(a) provides that since the system of three (3) year alternating terms is already in place, the section is changed by deleting some of the language originally necessary to begin the alternating election process. Additionally, it clarifies that “council member” includes the mayor with the persons holding the eight (8) other places on the council.

Art. IV, Sec. 8(d) the section is changed by deleting some of the language originally necessary to begin the alternating election process.

Art. IV, Sec. 24 is changed by adding the duty of the city secretary to be the chief election official.

Art. IV, Sec. 32 is changed by adding that the city manager must submit a structurally balanced budget annually, and must submit a financial report to the council quarterly.

	FOR	AGAINST
EARLY VOTES	2353	305
ELECTION DAY	1580	233
TOTAL	3933	538

Amendment No. 4 – *The change concerns reimbursable contracts.*

Art. III, Sec. 26(d) requires the City to be able to review reimbursable expenses on all contracts.

	FOR	AGAINST
EARLY VOTES	2440	231
ELECTION DAY	1630	158
TOTAL	4070	389

Amendment No. 5 – *Changes to these sections reflect the requirements of the Court Order for Benavidez v. the City of Irving regarding Single Member Districts.*

Art. IV, Sec. 2(b) designates that Places 1, 3, 4, 5, 6 and 7 are single member district places, Places 2 and 8 and the Mayor are at-large places and provides that candidates for those places must have resided in that district for 12 months immediately prior to the election.

Art. IV, Sec. 3(b) designates that Places 1, 3, 4, 5, 6 and 7 are single member district places.

Art. IV, Sec. 3(c) deletes references to the old districts.

Art. IV, Sec. 4 deletes the words “entire” and “of the entire” to reflect that some members are now elected by single member districts.

	FOR	AGAINST
EARLY VOTES	2171	478
ELECTION DAY	1365	337
TOTAL	3536	815

Amendment No. 6 – *Several changes are proposed to reflect the requirements of the Texas Election Code or other statutes.*

Art. IV, Sec. 3(b) is changed by deleting “prior to the filing deadline” and replacing with “immediately prior to election day.”

Art. IV, Sec. 5(b) deletes the requirement that the runoff election be held two weeks after the regular election so as to come into compliance with state law.

Art. IV, Sec. 6 provides that the City’s election shall be on state-mandated uniform election dates and in accordance with state law.

Art. IV, Sec. 9(a) provides that runoff elections and special elections to fill vacancies in municipal office shall be held in accordance with the requirements of state law.

Art. IV, Sec. 26(a) in reference to state law that the mayor or mayor pro tem may not automatically assume the role of judge of the municipal court and reference to the same has been deleted.

Art. V, Sec. 3 addresses property tax rolls which are not delinquent but are overdue according to supplemental tax rolls. Deletes “of six percent (6%) per annum” which is not the statutory rate and replaces the language with “specified by statute.”

Art. VI, Sec. 1(e) comes into compliance with the Texas Election Code requirements by deleting the words “forty nor more than” and by changing the words from “with the time aforesaid” to “on the next uniform election date.”

	FOR	AGAINST
EARLY VOTES	2247	357
ELECTION DAY	1426	242
TOTAL	3673	599

*Amendment No. 7 – Changing term limits for members of the city council.*

Art. IV, Sec. 8(d) reduces term limits from four (4) full consecutive three (3) year terms to three (3) full consecutive three (3) year terms.

	FOR	AGAINST
EARLY VOTES	2351	325
ELECTION DAY	1495	239
TOTAL	3846	564

*Amendment No. 8 – The change provides options for term-limited council members.*

Art. IV, Sec. 8(e) a council member who has served three (3) full consecutive terms may not run for another place on the council for one (1) year except the person may run for mayor. A mayor who has served three (3) full consecutive terms may not run for mayor or another place on the council for one (1) year.

	FOR	AGAINST
EARLY VOTES	2329	353
ELECTION DAY	1536	243
TOTAL	3865	596

Amendment No. 9 – *The change provides for forfeiture of office of council members.*

Art. IV, Sec. 9(b) adds a provision that a council member finally convicted of a felony shall resign and forfeit that office.

	FOR	AGAINST
EARLY VOTES	2539	157
ELECTION DAY	1654	106
TOTAL	4193	263

Amendment No. 10 – *The change provides for a Deputy Mayor pro tem.*

Art. IV, Sec. 10 in the absence of the Mayor pro tem, the Deputy Mayor pro tem shall perform all the duties of the Mayor pro tem.

	FOR	AGAINST
EARLY VOTES	2412	259
ELECTION DAY	1497	228
TOTAL	3909	487

Amendment No. 11 – *The change updates the compensation of the mayor and council members.*

Art. IV, Sec. 11(a) provides that the mayor receive a salary of twelve hundred dollars per month.

Art. IV, Sec. 11(b) provides that each council member receive a salary of nine hundred dollars per month.

	FOR	AGAINST
EARLY VOTES	1675	1012
ELECTION DAY	1021	769
TOTAL	2696	1781

Amendment No. 12 – *The change provides for resignation of a council member who moves to another district but does not move out of the city.*

Art. IV, Sec. 11-A provides that a council member who moves out of the city automatically forfeits the office pursuant to Sec. 8(b). A council member who moves out of their district but not out

of the city shall automatically resign from office, but shall remain in office until their successor is chosen at the next regular election or a special municipal election called for another purpose.

	FOR	AGAINST
EARLY VOTES	2402	292
ELECTION DAY	1653	231
TOTAL	4055	523

Amendment No. 13 – *The change provides for a Code of Ethics.*

Art. IV, Sec. 15-A provides that the city council may prescribe such policies and procedures and shall set appropriate standards of conduct for elected and appointed officials of the city.

	FOR	AGAINST
EARLY VOTES	2391	261
ELECTION DAY	1632	218
TOTAL	4023	479

Amendment No. 14 – *The change concerns the passage of ordinances.*

Art. IV, Sec. 17 provides that all ordinances, resolutions or orders may be passed at any public meeting of the council and deleting references to emergency measures.

	FOR	AGAINST
EARLY VOTES	2125	471
ELECTION DAY	1298	476
TOTAL	3423	947

Amendment No. 15 – *The change provides for residency requirements of appointed officials.*

Art. IV, Sec. 24 provides reference to the city secretary’s residency requirement. It changes the requirement that the city secretary shall reside in the city to reflect state law which provides pursuant to Section 150.021 of the Texas Local Government Code the governing body may require the city secretary to reside in the city.

	FOR	AGAINST
EARLY VOTES	2144	537
ELECTION DAY	1493	379
TOTAL	3637	916

Amendment No. 16 – *The change concerns departments not reporting to the city manager; moves certain sections of the charter from one Article to another Article; and clarifies reporting structures regarding budgets and employees of these departments.*

Art. VIII, Sec. 6 titled Irving Convention and Visitors Bureau is moved to Art. IX, Sec. 10 and titled Independent Boards, (a) Irving Convention and Visitors Bureau; clarifies that city council may by ordinance provide the management and operations of the Bureau shall be conducted independently of the Office of the City Manager.

Art. IX, Sec. 10(a) provides that the Board of Directors of the Irving Convention and Visitors Bureau shall recommend a budget to the city council and the city council shall have final approval of the Bureau's budget and expenditure of budgeted funds and the classification of the Bureau department employees.

Art. IX, Sec. 10(a) the Council by Ordinance may provide that the Board of Directors of the Irving Convention and Visitors Bureau shall have the right to appoint, remove and supervise the Executive Director of the Bureau, and may give the Executive Director exclusive authority to hire, discharge and supervise the employees of the Bureau.

Art. VIII, Sec. 7 titled Irving Arts Center is moved to Art. IX, Sec. 10 and titled Independent Boards, (b) Irving Arts Center; clarifies that city council may by ordinance provide the management and operations of the Arts Center shall be conducted independently of the Office of the City Manager.

Art. IX, Sec. 10(b) provides that the Irving Arts Board shall recommend a budget to the city council and the city council shall have final approval of the Irving Arts Center's budget and expenditure of budgeted funds and the classification of the Irving Arts Center department employees.

Art. IX, Sec. 10(b) the Council by Ordinance may provide that the Irving Arts Board shall have the right to appoint, remove and supervise the Executive Director of the Irving Arts Center and may give the Executive Director exclusive authority to hire, discharge and supervise the employees of the Arts Center.

Art. VIII, Sec. 8 titled Irving Housing and Human Services Department and Art. VIII, Sec. 9 titled Irving Preservation Department are moved to Art. IX, Sec. 11 and titled Irving Special Purpose Agencies.

Art. IV, Sec. 24 the Council shall have final approval of the city secretary's budget and expenditure of budgeted funds and the classification of the city secretary's department employees.

Art. IV, Sec. 24 the city secretary shall hire, discharge and supervise other employees of the city secretary's office.

Art. IV, Sec. 25 the Council shall have final approval of the city attorney's budget and expenditure of budgeted funds and the classification of the city attorney's department employees.

Art. IV, Sec. 25 the city attorney shall hire, discharge and supervise other employees of the city attorney's office.

	FOR	AGAINST
EARLY VOTES	2081	494
ELECTION DAY	1341	415
TOTAL	3422	909



Amendment No. 17 – *The change provides for a city attorney by charter.*

Art. IV, Sec. 25 provides that the city council shall appoint a city attorney, admitted to practice law in the State of Texas with four years experience. The city attorney shall be the chief legal advisor of all offices, officers, departments, and employees of the city, and shall represent the city in all legal proceedings.

	FOR	AGAINST
EARLY VOTES	2329	295
ELECTION DAY	1590	250
TOTAL	3919	545

Amendment No. 18 – *The changes to this Article make additions, deletions or clarifications to recall provisions.*

Art. VI Sec. 1(a) provides that a qualified voter initiating the recall process must live in the district of the person sought to be removed; signers of the petition must live in the district of the person sought to be removed. Changes the return time for the petition from thirty (30) days to forty-five (45) days for a single member district, and to sixty (60) days for the mayor or an at-large district. It also removes the twenty percent (20%) requirement for those signing the affidavit to have voted in the last election.

Art. VI, Sec. 1(b) deletes the sample petition and references the Texas Election Code for the current required format; deletes the affidavit form which is not a condition of validating a recall petition.

Art. VI, Sec. 1(c) deletes reference to the committee of petitioners; changes the time for the city secretary to examine from ten (10) days to thirty (30) days; clarifies that the city secretary notify the “affiant” of defects instead of the “committee of the petitioners.”

Art. VI, Sec. 1(d) provides that upon insufficiency of a recall petition, the affiant shall not file further affidavits through the duration of the term in office of the person sought to be removed. Deletes provisions applicable to amending a recall petition.

Art. VI, Sec. 1(h) provides that if a sitting member of the council wins a majority vote of the recall election, such council member cannot again be subject to a recall for the remainder of the term of which the petition was filed.

Art. VI, Sec. 1(j) provides that upon a council member taking office, the member shall not be recalled within six (6) months and deletes the word “three;” deletes the six-month time period after a recall election during which a mayor or council member may not be subject to recall; adds that no recall petition may be filed within 270 days of the end of the term of a mayor or council member.

	FOR	AGAINST
EARLY VOTES	2108	448
ELECTION DAY	1350	280
TOTAL	3458	728

Amendment No. 19 – *The change relates to the qualifications of the city manager.*

Art. VIII, Sec. 1 adds that the city manager shall become a qualified voter of the city following the city manager’s appointment and reside within the city limits.

	FOR	AGAINST
EARLY VOTES	2473	195
ELECTION DAY	1555	145
TOTAL	4028	340

Amendment No. 20 – *The change relates to the evaluation of the city manager.*

Art. VIII, Sec. 2 adds that the city manager shall be evaluated at least annually.

	FOR	AGAINST
EARLY VOTES	2507	180
ELECTION DAY	1523	111
TOTAL	4030	291

Amendment No. 21 – *The change relates to the powers and duties of the city manager.*

Art. VIII, Sec. 3 provides that employees reporting directly to the city council or boards of directors as appointed by the city council shall not be removed by the city manager; provides that employees reporting directly to the city council or boards of directors as appointed by the city council shall solely hire, discharge and supervise their staff; provides that the city manager shall exercise control and supervision over all other departments and offices created by the council.

	FOR	AGAINST
EARLY VOTES	2228	389
ELECTION DAY	1392	296
TOTAL	3620	685

Amendment No. 22 – *The change adds initiative and referendum to the charter.*

Art. XI, Sections 1-8 provide for the addition of Article XI, Sections 1-8 addressing initiative and referendum. Initiative is the power to propose lawful ordinances to the council for the city council’s vote or the vote of the citizens at an election. Referendum is the power to require reconsideration of an ordinance by the council or the citizens at an election.

Art. XI, Sections 1-8 provide for general authority; commencement of proceeding, petitioner’s committee, and affidavit; petitions; procedure after filing; referendum petitions; suspension of effective ordinance; action on petitions; results of election; initiative and referendum – failure of city council to act.

	FOR	AGAINST
EARLY VOTES	2159	367
ELECTION DAY	1314	288
TOTAL	3473	655

Amendment No. 23 – *The addition addresses the withholding of political contributions.*

Art. IX, Sec. 3 provides that the city shall not withhold from the pay of its employees for purposes of conveying those funds to political action committees.

	FOR	AGAINST
EARLY VOTES	2376	258
ELECTION DAY	1515	163
TOTAL	3891	421

Amendment No. 24 – *The addition provides for charter commentary.*

Art. IX, Sec. 9 provides that portions of the charter may become inapplicable due to changes in state or federal law. In such event, the city attorney may develop commentary giving notice to the citizens.

	FOR	AGAINST
EARLY VOTES	2283	281
ELECTION DAY	1414	226
TOTAL	3697	507

Amendment No. 25 – *The change relates to limitations on contributions for retirement benefits.*

Art. IX, Sec. 8, the total annual amount of the city of Irving contribution for retirement benefits is raised from 15.75% to 16.75% of annual salaries.

	FOR	AGAINST
EARLY VOTES	1697	936
ELECTION DAY	998	718
TOTAL	2695	1654

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS:

SECTION 1. That the General and Special elections held on May 11, 2013 were duly and legally called and notice thereof given in accordance with the laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act and the ordinances calling said elections; that said elections were held in strict conformity with the Constitution and laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act, and the returns thereof have been

properly made to the officials of the City of Irving entitled to receive the same, and that said elections properly represents the desires of the voters of the City of Irving.

SECTION 2. That the following named candidates were duly elected at said municipal election to the respective named offices of the City of Irving:

Gerald Farris – Council member Place 7, District 7 – Single Member

SECTION 3. That a run off election will be held on June 15, 2013, between Loren Byers and John Danish to determine who will be elected Council member Place 1, District 1 – Single Member.

SECTION 4. That a run-off election will be held on June 15, 2013, between Kensley Stewart and Allan E. Meagher to determine who will be elected Council member Place 2, At Large.

SECTION 5. That majority of the qualified voters of said City, voting at said election, voted “yes” on the following amendments and those said amendments were duly adopted and shall become part of the Charter of the City of Irving, Texas, and that the Charter of the City of Irving, adopted by the qualified voters of the City of Irving at an election on October 25, 1952, is hereby declared to be amended to conform to Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 adopted by the qualified voters of the City of Irving, Texas, at said election held on the 11th day of May, 2013.

- Amendment No. 1
- Amendment No. 2
- Amendment No. 3
- Amendment No. 4
- Amendment No. 5
- Amendment No. 6
- Amendment No. 7
- Amendment No. 8
- Amendment No. 9
- Amendment No. 10
- Amendment No. 11
- Amendment No. 12
- Amendment No. 13
- Amendment No. 14
- Amendment No. 15
- Amendment No. 16
- Amendment No. 17
- Amendment No. 18
- Amendment No. 19
- Amendment No. 20
- Amendment No. 21
- Amendment No. 22
- Amendment No. 23
- Amendment No. 24
- Amendment No. 25

SECTION 6. The City Secretary shall certify to the Texas Secretary of State an authenticated copy of the Charter under the seal of the City showing the approval of the Charter amendments

approved by the qualified voters of the City of Irving, Texas, duly adopted at the May 11, 2013, election. The City Secretary shall record this ordinance in the City's official records.

SECTION 7. It is hereby declared that the City of Irving approves and accepts the results of the General Election for Council Members, Place 1, Place 2, and Place 7, as set forth in the Election Returns Sheet attached herein as "Exhibit A" and that the City of Irving approves and accepts the results of the Special Election submitted to all residents and qualified electors of the City for the purpose of adopting or rejecting twenty-five (25) separately proposed amendments to the City Charter, as determined by the majority vote of the qualified voters of the City of Irving, Texas, as set forth in the Special Election Returns Sheet attached herein as "Exhibit 8."


SECTION 8. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 9. Should any court of competent jurisdiction declare any section, subsection, clause, or phrase of this ordinance unconstitutional or invalid, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect. Irving hereby declares that it would have passed this ordinances, and each section, subsection, clauses, and phrases be declared unconstitutional or invalid.


SECTION 10. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting was given.

SECTION 11. This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,  
on May 22, 2013.

  
BETH VAN DUYN  
MAYOR

ATTEST:

  
Shanae Jennings  
City Secretary

APPROVED AS TO FORM:

  
Charles R. Anderson  
City Attorney



# UNOFFICIAL ELECTION RESULTS

## Exhibit A

May 11, 2013 General election

### CITY COUNCIL - PLACE 1

	Reyes	Byers	Ronco	Danish
Early Voting	41	119	22	176
Early Voting by Mail	0	4	0	10
Lee Britain	2	4	7	24
Otis Brown	1	17	7	21
LB Barton	0	0	0	0
Irving High School	13	24	4	29
JR Good	12	21	2	33
Prov EV/ED	0	0	0	0
Election Day ADA	0	0	0	0
<b>TOTAL</b>	<b>69</b>	<b>189</b>	<b>42</b>	<b>293</b>

### CITY COUNCIL - PLACE 2

Polling Location	Stewart	Meagher	Schommer	Castilla
Early Voting	769	1024	171	759
Early Voting by Mail	11	17	4	18
Cimarron Rec	25	57	10	22
Sally B. Elliott	78	71	16	34
Lee Britain	43	57	10	54
Otis Brown	50	68	11	29
J.O. Davis	13	37	5	18
LB Barton	23	50	11	24
Irving High School	53	65	22	73
JR Good	48	41	6	32
Thomas Haley	83	60	13	27
AS Johnson	55	56	8	34
MacArthur High	44	93	26	52
Fire Station 8	13	69	16	28
Mustang Park Rec	20	34	8	16
Prov EV/ED	0	0	0	0
Election Day ADA	0	0	0	0
<b>TOTAL</b>	<b>1328</b>	<b>1799</b>	<b>337</b>	<b>1220</b>

**CITY COUNCIL - PLACE 7**

<b>Polling Location</b>	<b>Farris</b>
Early Voting	<b>441</b>
Early Voting by Mail	<b>6</b>
LB Barton	29
Irving High School	102
AS Johnson	70
MacArthur High	38
Fire Station 8	12
Prov EV/ED	0
Election Day ADA	0
<b>TOTAL</b>	<b>698</b>

<b>CITY COUNCIL - PLACE 1</b>					
<b>Candidates</b>	<b>Early Voting</b>	<b>Election Day</b>	<b>Total</b>	<b>Overall Total</b>	<b>Percentage</b>
<b>Luis Reyes</b>	<b>41</b>	<b>28</b>	<b>69</b>	<b>593</b>	<b>11.64</b>
<b>Loren Byers</b>	<b>123</b>	<b>66</b>	<b>189</b>	<b>593</b>	<b>31.87</b>
<b>Juan Martin Ronco Jr.</b>	<b>22</b>	<b>20</b>	<b>42</b>	<b>593</b>	<b>7.08</b>
<b>John Danish</b>	<b>186</b>	<b>107</b>	<b>293</b>	<b>593</b>	<b>49.41</b>

<b>CITY COUNCIL - PLACE 2</b>					
<b>Candidates</b>	<b>Early Voting</b>	<b>Election Day</b>	<b>Total</b>	<b>Overall Total</b>	<b>Percentage</b>
<b>Kensley Stewart</b>	<b>780</b>	<b>548</b>	<b>1328</b>	<b>4684</b>	<b>28.35</b>
<b>Allan E. Meagher</b>	<b>1041</b>	<b>758</b>	<b>1799</b>	<b>4684</b>	<b>38.41</b>
<b>Francis Schommer</b>	<b>175</b>	<b>162</b>	<b>337</b>	<b>4684</b>	<b>7.19</b>
<b>René Castilla</b>	<b>777</b>	<b>443</b>	<b>1220</b>	<b>4684</b>	<b>26.05</b>

<b>CITY COUNCIL - PLACE 7</b>					
<b>Candidates</b>	<b>Early Voting</b>	<b>Election Day</b>	<b>Total</b>	<b>Overall Total</b>	<b>Percentage</b>
<b>Gerald Farris</b>	<b>447</b>	<b>251</b>	<b>698</b>	<b>698</b>	<b>100.00</b>



# UNOFFICIAL ELECTION RESULTS

## Exhibit B

May 11, 2013 General election

PROP. 1			
		YES	NO
	Early Voting	2186	461
	Early Voting by Mail	36	13
2601	Cimarron Rec	93	23
4601	Sally B. Elliott	132	60
4602	Lee Britain	114	45
4605	Otis Brown	125	35
4609	J.O. Davis	58	6
4610	LB Barton	78	23
4613	Irving High School	162	46
4616	JR Good	90	29
4621	Thomas Haley	136	34
4623	AS Johnson	110	32
4625	MacArthur High	168	31
4627	Fire Station 8	94	27
4647	Mustang Rec	53	20
	<b>TOTAL</b>	<b>3635</b>	<b>885</b>

PROP. 2			
		YES	NO
	Early Voting	2186	446
	Early Voting by Mail	37	12
2601	Cimarron Rec	99	19
4601	Sally B. Elliott	151	41
4602	Lee Britain	120	34
4605	Otis Brown	122	39
4609	J.O. Davis	52	10
4610	LB Barton	73	24
4613	Irving High School	159	49
4616	JR Good	92	26
4621	Thomas Haley	134	34
4623	AS Johnson	110	25
4625	MacArthur High	175	28
4627	Fire Station 8	94	25
4647	Mustang Rec	53	22
	<b>TOTAL</b>	<b>3657</b>	<b>834</b>

PROP. 3			
		YES	NO
	Early Voting	2315	293
	Early Voting by Mail	38	12
2601	Cimarron Rec	107	9
4601	Sally B. Elliott	165	26
4602	Lee Britain	135	17
4605	Otis Brown	141	21
4609	J.O. Davis	59	3
4610	LB Barton	82	14
4613	Irving High School	180	31
4616	JR Good	101	21
4621	Thomas Haley	148	21
4623	AS Johnson	119	16
4625	MacArthur High	181	23
4627	Fire Station 8	99	18
4647	Mustang Rec	63	13
	<b>TOTAL</b>	<b>3933</b>	<b>538</b>

PROP. 4			
		YES	NO
	Early Voting	2399	222
	Early Voting by Mail	41	9
2601	Cimarron Rec	108	4
4601	Sally B. Elliott	175	9
4602	Lee Britain	138	17
4605	Otis Brown	135	12
4609	J.O. Davis	59	4
4610	LB Barton	94	9
4613	Irving High School	182	22
4616	JR Good	101	17
4621	Thomas Haley	151	16
4623	AS Johnson	128	10
4625	MacArthur High	189	16
4627	Fire Station 8	102	17
4647	Mustang Rec	68	5
	<b>TOTAL</b>	<b>4070</b>	<b>389</b>

PROP. 5			
		YES	NO
	Early Voting	2134	465
	Early Voting by Mail	37	13
2601	Cimarron Rec	88	22
4601	Sally B. Elliott	148	34
4602	Lee Britain	113	33
4605	Otis Brown	115	30
4609	J.O. Davis	51	8
4610	LB Barton	75	16
4613	Irving High School	148	51
4616	JR Good	93	21
4621	Thomas Haley	119	30
4623	AS Johnson	116	16
4625	MacArthur High	159	34
4627	Fire Station 8	82	27
4647	Mustang Rec	58	15
	<b>TOTAL</b>	<b>3536</b>	<b>815</b>

PROP. 6			
		YES	NO
	Early Voting	2209	348
	Early Voting by Mail	38	9
2601	Cimarron Rec	101	11
4601	Sally B. Elliott	152	26
4602	Lee Britain	114	31
4605	Otis Brown	122	15
4609	J.O. Davis	51	3
4610	LB Barton	74	14
4613	Irving High School	169	29
4616	JR Good	96	18
4621	Thomas Haley	122	26
4623	AS Johnson	108	17
4625	MacArthur High	168	27
4627	Fire Station 8	88	16
4647	Mustang Rec	61	9
	<b>TOTAL</b>	<b>3673</b>	<b>599</b>

PROP. 7			
		YES	NO
	Early Voting	2310	316
	Early Voting by Mail	41	9
2601	Cimarron Rec	103	15
4601	Sally B. Elliott	158	24
4602	Lee Britain	125	23
4605	Otis Brown	124	21
4609	J.O. Davis	52	6
4610	LB Barton	86	9
4613	Irving High School	168	31
4616	JR Good	92	20
4621	Thomas Haley	138	24
4623	AS Johnson	117	15
4625	MacArthur High	180	22
4627	Fire Station 8	96	16
4647	Mustang Rec	56	13
	<b>TOTAL</b>	<b>3846</b>	<b>564</b>

PROP. 8			
		YES	NO
	Early Voting	2290	343
	Early Voting by Mail	39	10
2601	Cimarron Rec	103	14
4601	Sally B. Elliott	158	29
4602	Lee Britain	134	24
4605	Otis Brown	134	19
4609	J.O. Davis	52	6
4610	LB Barton	86	10
4613	Irving High School	173	30
4616	JR Good	105	19
4621	Thomas Haley	140	19
4623	AS Johnson	115	19
4625	MacArthur High	179	26
4627	Fire Station 8	96	14
4647	Mustang Rec	61	14
	<b>TOTAL</b>	<b>3865</b>	<b>596</b>

PROP. 9			
		YES	NO
	Early Voting	2497	150
	Early Voting by Mail	42	7
2601	Cimarron Rec	112	4
4601	Sally B. Elliott	176	9
4602	Lee Britain	137	16
4605	Otis Brown	141	8
4609	J.O. Davis	59	2
4610	LB Barton	91	4
4613	Irving High School	187	16
4616	JR Good	114	8
4621	Thomas Haley	146	10
4623	AS Johnson	126	6
4625	MacArthur High	192	11
4627	Fire Station 8	101	10
4647	Mustang Rec	72	2
	<b>TOTAL</b>	<b>4193</b>	<b>263</b>

PROP. 10			
		YES	NO
	Early Voting	2372	250
	Early Voting by Mail	40	9
2601	Cimarron Rec	100	16
4601	Sally B. Elliott	159	23
4602	Lee Britain	122	28
4605	Otis Brown	121	23
4609	J.O. Davis	55	3
4610	LB Barton	82	10
4613	Irving High School	173	28
4616	JR Good	101	15
4621	Thomas Haley	138	20
4623	AS Johnson	117	15
4625	MacArthur High	173	27
4627	Fire Station 8	94	11
4647	Mustang Rec	62	9
	<b>TOTAL</b>	<b>3909</b>	<b>487</b>

PROP. 11			
		YES	NO
	Early Voting	1652	987
	Early Voting by Mail	23	25
2601	Cimarron Rec	70	50
4601	Sally B. Elliott	111	75
4602	Lee Britain	86	68
4605	Otis Brown	75	75
4609	J.O. Davis	41	20
4610	LB Barton	52	48
4613	Irving High School	113	93
4616	JR Good	70	53
4621	Thomas Haley	86	75
4623	AS Johnson	77	58
4625	MacArthur High	129	76
4627	Fire Station 8	64	51
4647	Mustang Rec	47	27
	<b>TOTAL</b>	<b>2696</b>	<b>1781</b>

PROP. 12			
		YES	NO
	Early Voting	2361	283
	Early Voting by Mail	41	9
2601	Cimarron Rec	110	11
4601	Sally B. Elliott	169	24
4602	Lee Britain	135	27
4605	Otis Brown	141	25
4609	J.O. Davis	60	5
4610	LB Barton	89	12
4613	Irving High School	192	26
4616	JR Good	104	20
4621	Thomas Haley	149	24
4623	AS Johnson	137	13
4625	MacArthur High	188	22
4627	Fire Station 8	111	14
4647	Mustang Rec	68	8
	<b>TOTAL</b>	<b>4055</b>	<b>523</b>

PROP. 13			
		YES	NO
	Early Voting	2350	253
	Early Voting by Mail	41	8
2601	Cimarron Rec	108	13
4601	Sally B. Elliott	174	18
4602	Lee Britain	136	20
4605	Otis Brown	137	24
4609	J.O. Davis	57	6
4610	LB Barton	91	8
4613	Irving High School	190	31
4616	JR Good	104	18
4621	Thomas Haley	150	20
4623	AS Johnson	133	12
4625	MacArthur High	180	24
4627	Fire Station 8	106	17
4647	Mustang Rec	66	7
	<b>TOTAL</b>	<b>4023</b>	<b>479</b>

PROP. 14			
		YES	NO
	Early Voting	2091	458
	Early Voting by Mail	34	13
2601	Cimarron Rec	90	24
4601	Sally B. Elliott	139	46
4602	Lee Britain	103	51
4605	Otis Brown	97	54
4609	J.O. Davis	46	14
4610	LB Barton	64	25
4613	Irving High School	154	55
4616	JR Good	78	41
4621	Thomas Haley	127	41
4623	AS Johnson	115	25
4625	MacArthur High	149	48
4627	Fire Station 8	84	33
4647	Mustang Rec	52	19
	<b>TOTAL</b>	<b>3423</b>	<b>947</b>

PROP. 15			
		YES	NO
	Early Voting	2110	521
	Early Voting by Mail	34	16
2601	Cimarron Rec	104	17
4601	Sally B. Elliott	168	25
4602	Lee Britain	129	31
4605	Otis Brown	119	42
4609	J.O. Davis	55	9
4610	LB Barton	85	15
4613	Irving High School	141	79
4616	JR Good	96	27
4621	Thomas Haley	137	38
4623	AS Johnson	123	22
4625	MacArthur High	172	34
4627	Fire Station 8	99	28
4647	Mustang Rec	65	12
	<b>TOTAL</b>	<b>3637</b>	<b>916</b>

PROP. 16			
		YES	NO
	Early Voting	2047	480
	Early Voting by Mail	34	14
2601	Cimarron Rec	90	24
4601	Sally B. Elliott	143	40
4602	Lee Britain	108	43
4605	Otis Brown	106	46
4609	J.O. Davis	51	9
4610	LB Barton	67	20
4613	Irving High School	145	55
4616	JR Good	89	28
4621	Thomas Haley	131	35
4623	AS Johnson	109	29
4625	MacArthur High	157	41
4627	Fire Station 8	91	27
4647	Mustang Rec	54	18
	<b>TOTAL</b>	<b>3422</b>	<b>909</b>

PROP. 17			
		YES	NO
	Early Voting	2291	285
	Early Voting by Mail	38	10
2601	Cimarron Rec	105	13
4601	Sally B. Elliott	174	18
4602	Lee Britain	134	26
4605	Otis Brown	134	27
4609	J.O. Davis	59	4
4610	LB Barton	84	15
4613	Irving High School	184	29
4616	JR Good	105	15
4621	Thomas Haley	145	26
4623	AS Johnson	122	19
4625	MacArthur High	177	28
4627	Fire Station 8	104	18
4647	Mustang Rec	63	12
	<b>TOTAL</b>	<b>3919</b>	<b>545</b>

PROP. 18			
		YES	NO
	Early Voting	2073	437
	Early Voting by Mail	35	11
2601	Cimarron Rec	95	16
4601	Sally B. Elliott	150	23
4602	Lee Britain	116	26
4605	Otis Brown	100	37
4609	J.O. Davis	51	6
4610	LB Barton	77	10
4613	Irving High School	148	31
4616	JR Good	86	25
4621	Thomas Haley	131	20
4623	AS Johnson	106	16
4625	MacArthur High	156	32
4627	Fire Station 8	80	22
4647	Mustang Rec	54	16
	<b>TOTAL</b>	<b>3458</b>	<b>728</b>

PROP. 19			
		YES	NO
	Early Voting	2433	187
	Early Voting by Mail	40	8
2601	Cimarron Rec	111	6
4601	Sally B. Elliott	172	7
4602	Lee Britain	134	15
4605	Otis Brown	128	17
4609	J.O. Davis	50	5
4610	LB Barton	84	7
4613	Irving High School	163	18
4616	JR Good	100	13
4621	Thomas Haley	145	11
4623	AS Johnson	127	6
4625	MacArthur High	182	17
4627	Fire Station 8	90	20
4647	Mustang Rec	69	3
	<b>TOTAL</b>	<b>4028</b>	<b>340</b>

PROP. 20			
		YES	NO
	Early Voting	2467	173
	Early Voting by Mail	40	7
2601	Cimarron Rec	108	7
4601	Sally B. Elliott	168	8
4602	Lee Britain	127	9
4605	Otis Brown	125	13
4609	J.O. Davis	54	2
4610	LB Barton	86	4
4613	Irving High School	164	16
4616	JR Good	103	7
4621	Thomas Haley	140	10
4623	AS Johnson	121	6
4625	MacArthur High	174	10
4627	Fire Station 8	94	12
4647	Mustang Rec	59	7
	<b>TOTAL</b>	<b>4030</b>	<b>291</b>

PROP. 21			
		YES	NO
	Early Voting	2191	381
	Early Voting by Mail	37	8
2601	Cimarron Rec	93	21
4601	Sally B. Elliott	157	19
4602	Lee Britain	129	25
4605	Otis Brown	112	33
4609	J.O. Davis	46	9
4610	LB Barton	77	13
4613	Irving High School	146	38
4616	JR Good	99	16
4621	Thomas Haley	119	33
4623	AS Johnson	114	16
4625	MacArthur High	167	29
4627	Fire Station 8	79	26
4647	Mustang Rec	54	18
	<b>TOTAL</b>	<b>3620</b>	<b>685</b>

PROP. 22			
		YES	NO
	Early Voting	2122	358
	Early Voting by Mail	37	9
2601	Cimarron Rec	90	20
4601	Sally B. Elliott	149	24
4602	Lee Britain	112	31
4605	Otis Brown	106	28
4609	J.O. Davis	48	6
4610	LB Barton	69	16
4613	Irving High School	142	28
4616	JR Good	81	27
4621	Thomas Haley	122	26
4623	AS Johnson	110	14
4625	MacArthur High	155	31
4627	Fire Station 8	77	22
4647	Mustang Rec	53	15
	<b>TOTAL</b>	<b>3473</b>	<b>655</b>

PROP. 23			
		YES	NO
	Early Voting	2334	252
	Early Voting by Mail	42	6
2601	Cimarron Rec	109	4
4601	Sally B. Elliott	164	12
4602	Lee Britain	130	20
4605	Otis Brown	128	13
4609	J.O. Davis	52	3
4610	LB Barton	87	6
4613	Irving High School	162	22
4616	JR Good	101	15
4621	Thomas Haley	134	19
4623	AS Johnson	118	9
4625	MacArthur High	175	19
4627	Fire Station 8	90	15
4647	Mustang Rec	65	6
	<b>TOTAL</b>	<b>3891</b>	<b>421</b>

PROP. 24			
		YES	NO
	Early Voting	2244	274
	Early Voting by Mail	39	7
2601	Cimarron Rec	101	12
4601	Sally B. Elliott	159	16
4602	Lee Britain	121	24
4605	Otis Brown	114	21
4609	J.O. Davis	48	6
4610	LB Barton	79	11
4613	Irving High School	155	22
4616	JR Good	92	20
4621	Thomas Haley	129	21
4623	AS Johnson	106	20
4625	MacArthur High	168	25
4627	Fire Station 8	83	17
4647	Mustang Rec	59	11
	<b>TOTAL</b>	<b>3697</b>	<b>507</b>

PROP. 25			
		YES	NO
	Early Voting	1666	920
	Early Voting by Mail	31	16
2601	Cimarron Rec	69	48
4601	Sally B. Elliott	108	74
4602	Lee Britain	104	48
4605	Otis Brown	80	64
4609	J.O. Davis	40	14
4610	LB Barton	56	39
4613	Irving High School	101	86
4616	JR Good	57	56
4621	Thomas Haley	93	64
4623	AS Johnson	73	56
4625	MacArthur High	124	77
4627	Fire Station 8	53	60
4647	Mustang Rec	40	32
	<b>TOTAL</b>	2695	1654